

**REMARKS/ARGUMENTS**

Claims 1-16 remain pending in the application, as claims 17-24 were previously canceled without prejudice. In the Office Action, claims 1-16 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,108,697 to Raymond, et al. (Raymond) in view of WO 99/38066 to Sinclair, et al. (Sinclair) and further in view of U.S. Patent No. 6,622,200 to Hasbun, et al. (Hasbun).

Independent claim 1 has been amended to clarify that the pack can be loaded and read without power recycling the radio communication device. Support for the amendment can be found on page 8, lines 6-8 of the present application. No new matter has been added. None of the cited prior art references describe this feature. In the Office Action of February 5, 2007, the Examiner argued that Raymond (col. 16, lines 9-10) taught this limitation (see page 5 of this Office Action). This particular passage merely teaches that a disk image may be downloaded to a disk in a start-to-finish manner, which refers to how data is loaded into memory. Raymond never describes the above claimed limitation.

In view of the above, Applicants submit that the above claims are patentable over the prior art. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such

amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

Date: January 23, 2008

SEND CORRESPONDENCE TO:

Motorola, Inc.  
1303 East Algonquin Road  
IL01/3<sup>RD</sup>  
Schaumburg, IL 60196

Customer Number: 24273

By: /Larry G. Brown/  
Larry G. Brown

Attorney of Record  
Reg. No.: 45,834

Tel: 954-723-4295 direct line  
Tel: 954-723-6449 main line  
Fax No.: (847) 576-3750